

**Notice of Allowability**

Application No.

10/775,777

Examiner

Meghan K. Dunwiddie

Applicant(s)

CLEGG, TIM

Art Unit

2875

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03 October 2005.
2. ☒ The allowed claim(s) is/are 2,3,6,8-11,13,14,17 and 18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. The application has been amended as follows: In Claims 8, 9, and 11, on line 1 the number "0" has been deleted and the number -6—has been inserted in its place.
3. Authorization for this examiner's amendment was given in a telephone interview with Attorney Clement Cheng on November 9, 2005.

### **REASONS FOR ALLOWANCE**

4. The following is an examiner's statement of reasons for allowance:
5. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 2 having the barrel housing connect by means of a shallow cylindrical protrusion receiving a shallow cylindrical depression on the second strand connector.
6. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 3 having multiple modes in which the printed circuit board illuminates the LEDs within the illuminated pendant.
7. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 6 having a plastic cylinder

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with open top and bottom in which the battery cage fits inside. A metal clip securing the bottom of the plastic cylinder and a pair of ends extended through the inside of the plastic cylinder and then extending over the top of the plastic cylinder.

8. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 13 having the barrel housing connect by means of a shallow cylindrical protrusion receiving a shallow cylindrical depression on the second strand connector.

9. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 14 having multiple modes in which the printed circuit board illuminates the LEDs within the illuminated pendant.

10. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 17 having a plastic cylinder with open top and bottom in which the battery cage fits inside. A metal clip securing the bottom of the plastic cylinder and a pair of ends extended through the inside of the plastic cylinder and then extending over the top of the plastic cylinder.

11. The prior art when taken separately or combined fails to teach and/or show an LED illuminated pendant as set forth in Claim 18 having a barrel housing containing the batteries to power the illuminated pendant. The barrel housing has a lid secured to the housing by a combination of a pair of opposing square steps and a pair of respective L shaped slots. There is also a spring

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attached to the interior of the lid that fits between the battery and lid when the barrel housing is closed.

12. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

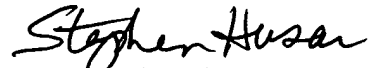
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meghan K. Dunwiddie whose telephone number is (571) 272-8543. The examiner can normally be reached on Monday through Friday 8 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKD

  
Stephen Husar  
Primary Examiner